

APPLICATION AND QUESTIONNAIRE FOR JUDICIAL CANDIDATES – 2007

Please answer each of the following questions as instructed. In answering these questions, please use letter size paper and repeat each question, placing your answer immediately beneath it. Send an original and (10) copies of your completed Application and Questionnaire, including Appendix A and Appendix B, postmarked by the designated deadline, as they are a prerequisite to consideration for the position.

This Application and Questionnaire will be kept confidential and will be examined only by members of the Judicial Selection Commission and the Governor, unless you are nominated by the Governor, at which time it will be made public.

The Governor's Executive Order creating the Judicial Selection Commission provides that "The names of persons considered by the Commission shall remain confidential except to the extent necessary for the Commission to carry out its responsibility to evaluate candidates." The Judicial Selection Commission will send you a letter acknowledging receipt of your Application and Questionnaire, and may also contact you to appear for an interview. The Judicial Selection Commission will not otherwise contact you regarding the status of your application until after the Governor announces his nominee.

INTRODUCTION

1. Please state the judicial appointment(s) in which you are interested.
2. Full name.
3. Present occupation.
4. Office address, town of residence, office and home telephone and fax numbers and office email address.

EDUCATION AND PROFESSIONAL INFORMATION

5. List each college, graduate school and law school you attended, including dates of attendance, whether you served on your law school's law review, the degrees awarded by each institution, and their dates. If you left any institution without receiving a degree, state the reason for leaving.
6. List any articles, books, or other publications that you have authored. Include copies of any speeches or manuscripts on constitutional issues, court organization or the role of judges.
7. With respect to the last 10 years, list all bar associations, judicial associations, and professional societies of which you are, or have been, a member and give titles and dates of any offices which you have held in such groups. List chairpersonships and

memberships of any committees in bar or judicial associations or professional societies which you believe to be of particular significance.

8. List any honors, prizes or awards you have received.

LAW PRACTICE / JUDICIAL EXPERIENCE

9. List all courts in which you have been admitted to practice, with year of admission. Give the same information for administrative bodies, which require special admission to practice.

10. Describe your law practice and legal experience after your graduation from law school, including whether you served as clerk to a judge, and if so, the name of the judge, the court, and the dates of the period you were a clerk; whether you practiced alone, and if so, the addresses and the dates; the dates, names and addresses of law firms or offices, companies or governmental agencies by whom you have been employed or with which you have been connected, and the nature of your connection with each; and any other relevant particulars, such as law teaching experience, mediation, arbitration and the like. If you are currently or have been a judge or clerk of court, give the position(s) and dates of service and please respond to any questions in this section about "law practice" with reference to your law practice prior to becoming a judge or clerk. For example, for those questions which request information regarding "the last 10 years" of law practice, please respond with reference to the 10 years preceding your becoming a judge or clerk.

11. What is the general nature of your current practice? Describe any practice areas in which you have specialized. If currently serving as a judge or clerk, please describe the nature of your duties.

12. To the extent that your law practice (or if a judge or clerk, your prior law practice) has involved significant trial work, state, with respect to the last 10 years, the approximate number of cases tried. Please describe the nature and length of cases you have tried to conclusion or in substantial part, and state whether you were lead counsel. State what percentage of these trials was jury, non-jury, civil or criminal.

13. Approximately what percentage of your law practice over the years has been devoted to:

Corporate	_____ %
Trial work	_____ %
Appellate work	_____ %
Probate	_____ %
Other (please list)	_____ %

14. Approximately what percentage of your law practice in the last 10 years was in:

Federal Courts	_____	%
State Supreme Court	_____	%
State Superior Court	_____	%
State District Court	_____	%
State Probate Court	_____	%
Other courts (please list)	_____	%
Administrative hearings	_____	%
Other (please list)	_____	%

15. List case names, dates, courts, judges and opposing counsel of five significant cases in which you have been involved as trial counsel during your legal career and state the nature of your involvement, including whether you were lead counsel. Please include the business telephone numbers of all opposing counsel in these cases.

16. If currently a judge, list five significant cases over which you have presided, the dates of the cases and, if they resulted in a written opinion by you, attach copies of those opinions. Please list the counsel of record in those cases and provide their current business telephone numbers.

17. List the case names, judges, opposing counsel and dates of the three most recent cases you have tried to conclusion or in substantial part, and state whether you were lead counsel. Please include the business telephone numbers of all opposing counsel in those cases. If currently a judge, list the three most recent cases over which you presided (which are now concluded) and if they resulted in a written opinion by you, attach copies of those opinions. Please list the counsel of record in these cases and provide their current business telephone numbers.

18. Attach legal memoranda or Supreme Court briefs that you personally wrote (three if you are applying to be a judge on the Supreme Court; two if you are applying to be a judge in any other court). Please include materials you wrote in the last year; if you did not author any of these materials in the last year, be sure to include your most recent memorandum or brief. Copies are fine. If you are a judge, attach copies of three opinions that you wrote (you may, but need not, provide such opinions if you have attached at least three written opinions in response to question 16 above.)

EMPLOYMENT HISTORY

19. Since graduation from law school, have you ever been engaged in any occupation, business or professional pursuits other than the practice of law? If so, give details, including dates, and state whether you were a principal, director, officer, or had a controlling interest in any business during this time.

20. Since becoming a member of a bar, have you ever been discharged from employment for any reason or have you ever resigned after being informed that your employer intended to discharge you?

FINANCIAL INFORMATION

21. List sources and amounts of all income received during the calendar year preceding your application and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, patents, honoraria, and other items exceeding \$1,000 (sources of income may be listed by category rather than by specific name, e.g. law practice, stocks, bonds, mutual funds, individuals).

22. List any debts or obligations owed to you or by you (including child support), setting forth the amount and any additional information necessary to explain each transaction. You need not include loans to your spouse, dependents, or siblings for non-business purposes. Please exclude all debts under \$1,000.

23. Have you filed all past tax returns as required by federal, state, local and other government authorities? If not, explain.

24. Have you paid a tax penalty in the last 3 years? If so, list the amount of penalty paid in each year and explain the circumstances under which it was incurred.

25. Do you have any unsatisfied judgments outstanding against you? If yes, please explain.

26. Have you ever been a debtor in a bankruptcy proceeding or similar insolvency proceeding under federal or state law? If yes, please give details.

27. Is there any information in your personal financial history, which might adversely affect your fitness for a judicial appointment?

CIVIC AND COMMUNITY INVOLVEMENT

28. List all organizations other than bar, judicial, and professional associations to which you have devoted substantial time as a member or volunteer, including civic, charitable, educational, social and fraternal organizations. State whether you were an officer or director of these organizations.

29. Have you ever held appointive or elective public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving dates. If you have ever been an unsuccessful candidate for elective public office, please identify the office(s) and the date(s).

30. Have you served in the military? If so, give dates, branch of service, rank, serial number, present status and type of discharge.

PERSONAL

31. Date and place of birth.
32. Please provide the name(s) and occupation(s) of your spouse or former spouse(s). Please note that if the Commission interviews you, you will be asked to address any family, medical, or other personal issues which could adversely affect your fitness to serve on the court. You may also be asked about other matters which could adversely affect, or could appear to others to adversely affect, your fitness for judicial appointment and to provide information regarding the same.

CONDUCT

33. Have you ever been arrested or convicted of a crime which has not been annulled? If so, give details. Do not include violation level traffic offense except driving while intoxicated, operating after suspension or revocation, and reckless driving. Be sure to include any motor vehicle offense that can be charged as a misdemeanor.
34. To your knowledge, have you ever been under federal, state or local investigation for possible violation of a criminal statute or for domestic violence or child abuse? If so, give particulars.
35. Have you ever been sued by or involved in an adjudicative proceeding with a client? If so, give particulars.
36. Have you ever been a party to any legal proceedings? If so, give the particulars. Do not list proceedings in which you were a guardian ad litem, executor or administrator.

GENERAL

37. Why are you seeking a judicial appointment?
38. List the names, addresses, telephone and fax numbers of three lawyers and three lay people who know you well and who could act as a reference concerning your fitness to serve in a judicial office.
39. What are the three or four attributes or accomplishments you believe should be given the greatest weight in assessing judicial candidates and how do you assess yourself in that regard?
40. Have you previously completed a similar questionnaire for a judicial office? If so, when and where submitted.

41. Please identify any facts or circumstances, which you believe, might preclude one or more Commission members from fairly assessing your application for judicial appointment.

Sworn under the pains and penalties of perjury.

Date

Signature of Applicant

STATE OF NEW HAMPSHIRE

COUNTY OF _____

Personally appeared the above-named _____, and made oath that the within statements subscribed to by him/her are true to the best of his/her knowledge and belief.

Notary Public/Justice of the Peace

Revised February 2007

APPENDIX A

**GOVERNOR'S JUDICIAL SELECTION COMMISSION APPLICATION
AND QUESTIONNAIRE FOR JUDICIAL CANDIDATES**

Please note that the rules of the Judicial Conduct Committee and Professional Conduct Committee prohibit public disclosure by the Judicial Selection Commission of information pertaining to complaints and proceedings before those Committees. To assure compliance with the applicable confidentiality rules of those Committees, the Judicial Selection Commission requests that you answer the following inquiry on separate letter-sized paper with the heading, "Appendix A".

Your Application and Questionnaire will be kept confidential and will be examined only by members of the Judicial Selection Commission and the Governor unless you are nominated by the Governor, at which time this questionnaire may be made public. Your response to the following inquiry, however, will remain confidential in compliance with the applicable rules referenced above.

Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of complaint to any court, administrative agency, Attorney General, disciplinary committee or other professional group? If so, give the particulars.

Sworn under the pains and penalties of perjury.

Date

Signature of Applicant

STATE OF NEW HAMPSHIRE
COUNTY OF _____

Personally appeared the above-named _____, and made oath that the within statements subscribed to by him/her are true to the best of his/her knowledge and belief.

Notary Public/Justice of the Peace

APPENDIX B

GOVERNOR'S JUDICIAL SELECTION COMMISSION **CONSENT, RELEASE AND AFFIRMATION**

The undersigned agrees with the Judicial Selection Commission and its members ("Commission") as follows:

1. **Consent.** I consent to the Commission's review of my application, including all materials submitted with it or referred to in it. I also consent to the Commission contacting all persons named as references in support of, or otherwise identified in, my application. By executing this Consent, Release and Affirmation, I specifically consent to the release to the Commission of information and records relating to my application by such persons, who may rely on a copy of this Consent, Release and Affirmation as evidence of my consent. I also consent to the Commission contacting any third persons or parties who are not identified in my application but who the Commission believes will assist it in evaluating my application, and I consent to their release of information and records to the Commission on the same basis.

2. **Release.** By filing my application and executing this Consent, Release and Affirmation, I hereby release the Commission, members of the Commission, the Commission staff, any third persons working in conjunction with the Commission, other authorized representatives of the Commission and persons contacted by the Commission regarding my application from any and all liability of any nature whatsoever, and agree not to sue, or commence any other form of action against, the Commission or such other persons with respect to any actions, reports, recommendations, statements, communications, records or disclosures involving me which are made, taken or received by the Commission and such other persons in the course of reviewing and acting upon my application.

3. **Affirmation.** I represent that the information provided, or referred to, in my application is accurate in all respects. Furthermore, I represent that I have not omitted to provide any information of a material nature from my application which would be necessary to make the information provided complete and accurate. I understand that any misrepresentation or misstatement in, or omission from, my application, whether intentional or not, is cause for immediate rejection of my application. Finally, I agree that, while my application is pending, I will forthwith provide the Commission with: (a) any further information which it requests; and (b) any new or further information of which I become aware during the pendency of my application which relates in any way to information previously furnished to the Commission.

My signature below constitutes my acceptance of the terms set forth in this Consent, Release and Affirmation.

Witness my hand this ____ day of _____, 200_.

WITNESS:

APPLICANT:

Print Name:

Print Name: